

OCT 13 2010

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division**

DOMINGO ROMERO MOLINA,

Petitioner

V.

UNITED STATES OF AMERICA,

Respondent

Criminal Action No. 5:03-CR-30053

Civil Action No.: 5:10-CV-80246

ORDER

By: Hon. James C. Turk

Senior United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED** and **ADJUDGED** that Respondent's Motion to Dismiss is **GRANTED**; the above referenced motion pursuant to 28 U.S.C. § 2255 is **DISMISSED**; a certificate of appealability is **DENIED**, and this action shall be **STRICKEN** from the active docket of this court.

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to Petitioner and to counsel for the United States.

ENTER: This 8th day of October, 2010.


Senior United States District Judge